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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91217017
Party	Defendant Go Swiftly, LLC
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Submission	Answer
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Date	08/01/2014
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of:

Application Serial No. 85817418

Mark: IWAITLESS

Published in the Official Gazette: June 17, 2014

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PIONETECHS, INC.

Opposer,

vs.

Opposition No. 91217017

GO SWIFTLY, LLC

Applicant.

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**ANSWER**

Applicant, Go Swiftly LLC, a Minnesota entity, in answering the Opposition admits, denies and alleges as follows:

In answering the Notice of Opposition Preamble, Applicant alleges and pleads as follows:

Applicant is without sufficient knowledge and information to form a belief as to the truth of the allegations of this paragraph and on that basis, denies the same. Applicant denies that Opposer would be damaged by the registration of the Mark.

In answering each paragraph set forth as the grounds of Opposition, Applicant alleges and pleads as follows:

1. Answering paragraph 1 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
2. Answering paragraph 2 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
3. Answering paragraph 3 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
4. Answering paragraph 4 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
5. Answering paragraph 5 of the Notice of Opposition, Applicant admits to the allegation made in this paragraph.
6. Answering paragraph 6 of the Notice of Opposition, Applicant admits to the allegation made in this paragraph.
7. Answering paragraph 7 of the Notice of Opposition, Applicant admits to the allegation made in this paragraph.
8. Answering paragraph 8 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
9. Answering paragraph 9 of the Notice of Opposition, Applicant denies the allegations of this paragraph.

10. Answering paragraph 10 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
11. Answering paragraph 11 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
12. Answering paragraph 12 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
13. Answering paragraph 13 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
14. Answering paragraph 14 of the Notice of Opposition, Applicant's mark is not sufficiently similar to Opposer's mark so as to be likely to cause any confusion, and Applicant denies any other allegations and inferences made in said paragraph.
15. Answering paragraph 15 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
16. Answering paragraph 16 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
17. Answering paragraph 17 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
18. Answering paragraph 18 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
19. Answering paragraph 19 of the Notice of Opposition, Applicant denies the allegations of this paragraph.

### AFFIRMATIVE DEFENSES

20. The Notice of Opposition and each claim therein fail to assert facts sufficient to sustain an Opposition.
21. Applicant alleges that there is no likelihood of confusion, mistake or deception because, *inter alia*, Applicant's mark and the alleged mark of Opposer are not confusingly similar. The respective goods and services with which the marks are used are divergent and distinct and are sold through unrelated channels of trade to different purchasers and users.
22. As Applicant lacks sufficient knowledge or information to form a belief as to whether it may have additional separate or affirmative defenses not stated in this Answer, Applicant reserves the right to assert additional separate or affirmative defenses based on further discovery, investigation or analysis.
23. In view of the foregoing, Applicant contends that this opposition is groundless and baseless in fact.

WHEREFORE, Applicant requests that this opposition be dismissed with prejudice and that Application Serial No. 85817418 be passed through to allowance on the Principal Register.

Please address all communications to Abiola Shobola at the address listed below.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Abiola Shobola', is written over a horizontal line.

Dated August 1, 2014


Abiola Shobola  
Go Swiftly, LLC  
1239 Highland Parkway  
St. Paul, MN 55116

## **CERTIFICATE OF ELECTRONIC TRANSMISSION**

It is hereby certified that the foregoing ANSWER is being electronically filed with the  
United States Patent and Trademark Office:

Trademarks Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

on August 1, 2014.

By: \_\_\_\_\_

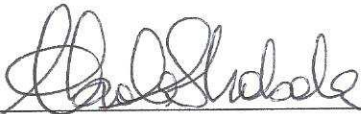
Abiola Shobola

**CERTIFICATE OF SERVICE BY MAIL**

It is hereby certified that a true and complete copy of the foregoing ANSWER has been served by prepaid first class mail upon Attorneys for the Opposer:

Daniel S. Polley  
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said service taking place this August 1, 2014.

By:   
Abiola Shobola